

Schedule No. 3 to By-law No. 2005-0067

Class of Licence:	FOOD SERVICE
Type of Licence:	Restaurant Owner Mobile Food Service Owner Operator Mobile Food Service Operator Portable Food Service Owner Operator Catering Food Service Owner Refreshment Cycle Owner
Purpose:	Public Health and Safety due to the health risks associated with the handling and storage of food.

INSPECTIONS

17.1 The issuing of a Food Service licence shall be subject to:

- 17.1.1 a fire safety inspection of the Premises by the Town;
- 17.1.2 an inspection of the Premises by the Building Department;
- 17.1.3 an inspection of the Premises by the Halton Region Health Department for compliance with the Food Premises regulations under the Health Protection and Promotion Act, R.S.O. 1990, and any regulations thereunder, as amended; and
- 17.1.4 where the Premises consist of a Motor Vehicle, a mandatory annual Motor Vehicle Inspection by the Ministry of Transportation.

RESTAURANT

17.2 No Person or Licensee of a Restaurant shall:

- 17.2.1 allow dogs, cats, or other animals at any time in the cooking area or in any part of the Premises where food is kept, stored, prepared, or cooked;
- 17.2.2 notwithstanding any other provision of this by-law refuse to serve or permit any Person being aided by an official guide dog to enter, remain in, or upon the Premises with such dog; and
- 17.2.3 use, or permit to be used, any room in the Premises for sleeping.

17.3 Every Licensee of a Restaurant shall:

- 17.3.1 maintain the Premises at all times in a clean and sanitary condition free of dust, dirt, fumes, and the accumulations of food waste or other refuse;
- 17.3.2 keep all entrances, exits, and corridors free of obstruction at all times; and
- 17.3.3 keep all washroom facilities operable, clean and sanitary.

CATERING FOOD SERVICE OWNER

- 17.4 A Food Service Licensee of a catering food service shall ensure that the catering food service Premises and all Premises off-site where the caterer prepares or serves food is at all times in compliance with the Health Protection and Promotion Act, R.S.O. 1990 and any regulations thereunder, as amended.

MOBILE FOOD SERVICE OWNER and OPERATOR

- 17.5 Every Food Service applicant or Licensee of a Mobile Food Service shall submit to the Issuer of Licences:
- 17.5.1 a copy of the Motor Vehicle ownership;
 - 17.5.2 a copy of a Vehicle Safety Standards Certificate provided under the Highway Traffic Act;
 - 17.5.3 a copy of valid liability insurance as required under the Compulsory Automobiles Insurance Act in the amount not less two million dollars (\$2,000,000.00) with an endorsement that notice in writing at least ten (10) days prior to cancellation, expiration or variation thereof will be given to the Town by the insurance underwriter;
 - 17.5.4 where applicable, a signed approval from a certified propane contractor attesting to the fact that equipment in the Motor Vehicle fuelled by propane or natural gas has been inspected and conforms to the Propane Code adopted under the Technical Standards and Safety Act, 2000;
 - 17.5.5 submit a copy of a Security Clearance Request issued by the Halton Regional Police Service or the Police Service in the jurisdiction in which the applicant or licensee resides, obtained within thirty (30) days of application;
 - 17.5.6 submit for examination and copy a valid Ontario Driver's Licence; and
 - 17.5.7 submit two (2) passport size photographs to the satisfaction of the Issuer of Licences or agree to have a photograph taken by the Town upon request.
- 17.6 No Food Service Licensee of a Mobile Food Service shall:
- 17.6.1 stand or stop at any one location for a period in excess of fifteen (15) minutes;
 - 17.6.2 operate, sell or offer for sale food or refreshments to the public in areas zoned residential or at any location other than industrial or commercial establishments, or to workers on a construction site;
 - 17.6.3 operate, sell or offer for sale refreshments from a Motor Vehicle upon a Highway or part thereof;
 - 17.6.4 obstruct any doorway, Highway, or stop or park any Motor Vehicle at an intersection, entrance to a school yard or public park or on any Town-owned lands or in a public park without authorization to do so;

- 17.6.5 permit any Person who is not licensed under this by-law as a Mobile Food Service Operator to drive, serve food, or operate a Motor Vehicle licensed as a Mobile Food Service under this by-law; and
- 17.6.6 operate a Motor Vehicle licensed as a Mobile Food Service under this by-law that is not equipped with an audible reversing alarm.
- 17.7 Every Food Service Licensee of a Mobile Food Service shall:
 - 17.7.1 display an Owner's Plate provided by the Town in a conspicuous place on the rear of the Motor Vehicle;
 - 17.7.2 maintain the Motor Vehicle in good repair, free of body damage, rust, holes, cracks, and deteriorated exterior paint;
 - 17.7.3 maintain the interior of the Motor Vehicle in a clean and sanitary condition;
 - 17.7.4 provide an adequate number of suitable refuse containers readily accessible to Persons making purchases;
 - 17.7.5 not remove the running gear, and maintain such gear in working order, capable of safely moving the Motor Vehicle at any time;
 - 17.7.6 provide and maintain a multi-purpose dry chemical fire extinguisher with a minimum rating of 2A10BC, if the Motor Vehicle contains equipment fuelled by propane or natural gas;
 - 17.7.7 keep a record of the source of supply of all food and refreshments to be sold by him from the Mobile Food Service;
 - 17.7.8 employ proper hygiene practices and have clean hands when serving or handling food; and
 - 17.7.9 ensure every employee driver or assistant other than himself possesses a Mobile Food Service Operator's licence pursuant to Subsections 17.5.5, 17.5.6, and 17.5.7 of this by-law.

PORTABLE FOOD SERVICE OWNER and OPERATOR

- 17.8 Every Food Service applicant or Licensee of a Portable Food Service shall submit to the Issuer of Licences:
 - 17.8.1 a copy of the property Owner's written permission to locate a Portable Food Service on his lands;
 - 17.8.2 a potable supply of water or a copy of the property Owner's written permission to use sanitary facilities located on his lands subject to the approval of the Halton Region Health Department; and
 - 17.8.3 a site plan showing the location of the Portable Food Service which shall:
 - 17.8.3.1 be located a minimum of seven (7) metres (twenty-one (21) feet) from the edge of the road allowance;
 - 17.8.3.2 not be located within five (5) metres (fifteen (15) feet) of any lot line, notwithstanding Subsection 17.9.3.1;

17.8.3.3 be located on a site with a minimum of ten (10) parking spaces; and

17.8.3.4 be restricted to one Portable Food Service per developed private property in areas zoned to permit the sale of food as permitted by the Town's zoning by-laws.

17.9 Every Food Service Licensee of a Portable Food Service shall:

17.9.1 have sanitary facilities or access to same;

17.9.2 store combustibles safely in accordance with the Fire Code;

17.9.3 provide and maintain a dry chemical portable fire extinguisher with a minimum rating of 2A10BC;

17.9.4 not have more than three (3) outdoor tables;

17.9.5 not have more than one (1) accessory building or shed to be used only for storage purposes only with a floor area of less than ten (10) square metres and maintained in a clean and sound condition;

17.9.6 provide a refuse container readily accessible to Persons making purchases for the disposal of litter;

17.9.7 not operate, sell or offer refreshments for sale from a Portable Food Service upon a Highway, or any part thereof, or on any Town-owned lands, or in a park without authorization to do so; and

17.9.8 where applicable, provide a signed approval from a certified propane contractor attesting to the fact that equipment fuelled by propane or natural gas has been inspected and conforms to the Propane Code adopted under the Technical Standards and Safety Act, 2000.

17.10 No Food Service Licensee of a Portable Food Service shall:

17.10.1 operate in any location other than the location approved by the Town on the site plan;

17.10.2 operate within 7 metres (twenty-one (21) feet) from the edge of a road allowance;

17.10.3 obstruct any parking space, drive aisle, fire route, entrance or exit; and

17.10.4 obstruct the lines of sight at intersections and driveway entrances or exits.

REFRESHMENT CYCLE OWNER

17.11 No Food Service Licensee of a Refreshment Cycle shall operate or allow any Person to operate a Refreshment Cycle between the hours of sunset and sunrise.

17.12 Every Food Service Licensee of a Refreshment Cycle shall:

17.12.1 obtain a separate licence for each Refreshment Cycle;

- 17.12.2 attach the Owner's Plate to the Refreshment Cycle in a location approved by the Town;
- 17.12.3 sell, or permit to be sold, only frozen or pre-packaged food or non-alcoholic beverages or permit only those items to be sold as authorized through the issuance of this licence;
- 17.12.4 keep the Refreshment Cycle in a clean operable condition and in good repair at all times;
- 17.12.5 ensure the Refreshment Cycle is equipped with a refuse container readily accessible to Persons making purchases for the disposal of litter.

EVENT FOOD SERVICE

17.13 Every Person who operates a Mobile Food Service or a Portable Food Service at an Exhibition, carnival, festival, Trade Show, or any other special event shall have an Event Food Service licence for the duration of the event, the completed application for which shall be:

- 17.13.1 received by the Issuer of Licences not more than thirty (30) days prior to the event; and
- 17.13.2 accompanied by confirmation from the event organizer in the form of a letter or on a list provided by the organizer to the Town that such Person will operate the Event Food Service in conjunction with the event.